GOVERNOR AND EXECUTIVE COUNCIL MINUTES State House, Concord, New Hampshire May 26, 2010 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. with all members present.

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The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth, accepted the minutes of May 12, 2010.

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The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea voted to amend the minutes of April 28, 2010 as follows:

#32A Authorized to place Richard Lavers at an annual salary in Group FF, step 1 \$67,350, (range \$63,208-\$83,917). Effective upon G&C approval. **100% Federal Funds.** 

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The Governor and Executive Council, on motion of Councilor Shea, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the May 12, 2010 meeting.

# RESIGNATIONS

The Governor and Council, with regret, accepted the following resignations:

State Committee on Aging

(Merrimack County)

Timothy S. Gormley, Sr., Bow Effective: June 30, 2010

**Ballot Law Commission** 

(Alternate)

Gregory T. Martin (d), Keene Effective: May 26, 2010

Connecticut River Valley Resource Commission

(Forest Products/Timberland Owners)

Henry Swan, Lyme Effective: May 14, 2010

New Hampshire Housing Finance Authority

(Exp. in Construction of Single-Family Real Estate)

John T. Eller, d, Newbury Effective: May 26, 2010

Medical Review Subcomittee

(Physician Assistant)

Kevin Costin, Manchester Effective: February 4, 2010

Advisory Committee on Travel and Tourism

(Environment and Wildlife)

Adair D. Mulligan, Lyme Center Effective: May 12, 2010

#### **CONFIRMATIONS**

The Governor and Council confirmed the following:

State Committee on Aging

(Merrimack County)

Stephen Gorin, d, Canterbury

Reappointment

Effective: June 24, 2010

Term: June 24, 2013

State Apprenticeship Advisory Council

(Labor)

Dennis E. E. Adams, Deerfield Effective: June 25, 2010 Reappointment Term: June 25, 2014

State Apprenticeship Advisory Council

(Employer)

Gerard D. Perron, New Boston

Reappointment

Effective: June 25, 2010

Term: June 25, 2014

Community College System of New Hampshire Board of Trustees

(Public Member)

Robert A. Duhaime, Manchester Effective: June 30, 2010 Reappointment Term: June 30, 2014

Community College System of New Hampshire Board of Trustees

(Public Member)

Kristie L. Palestino, Goffstown

Reappointment

Effective: June 30, 2010

Term: June 30, 2014

State Conservation Committee

(Cheshire/Sullivan)

Peter T. Throop, Keene Effective: May 26, 2010 Succeeding: David L. Grobe, Plainfield Term: August 1, 2013

Pre-Engineering Technology Advisory Council

(Public Member)

Thelma J. Brown, Manchester Effective: May 26, 2010 Succeeding: Jennifer Ng, Merrimack Term: September 4, 2011

Director: Division of Audits, Department of Revenue Administration

Nominated by the Commissioner of the Department of Revenue Administration

Kathleen J. Sher, Bedford Effective: May 26, 2010

Succeeding: Santo M. Presti, Penacook (resigned)

Term: At the pleasure of the Commissioner

Salary: HH, Step 4 \$93,812

**School Building Authority** 

Jane M. Bergeron-Beaulieu, LitchfieldEffective: July 1, 2010ReappointmentTerm: July 1, 2013

University System of New Hampshire Board of Trustees

George Epstein, Conway Effective: June 30, 2010 Reappointment Term: June 30, 2014

**NOMINATIONS** 

The Governor placed into nomination the following:

**Ballot Law Commission** 

(Appointed by Governor and Council)

Gregory T. Martin, d., Keene Effective: Upon confirmation Succeeding: Stephen M. Duprey, r, Concord (Appointed by G&C) Term: January 21, 2012

State Conservation Committee

(Belknap/Carroll)

William L. Stockman, Tuftonboro Effective: Upon confirmation

Succeeding: Kenneth N. Kettenring, New Hampton (Belknap/Carroll) Term: August 1, 2013

State Board of Fire Control

(Volunteer Chief of Fire Department)

Allan Clark, Sugar Hill Effective: Upon confirmation

Succeeding: Richard O. Heselton, Fremont (Vol. Chief of Fire Dept) Term: July 8, 2014

Lakes Management Advisory Committee

Nominated by the Travel Council (Represents Tourism Industry)

James S. Morash, Meredith

Effective: Upon confirmation

Town Assert 1, 2012

Reappointment Term: August 1, 2013

**Board of Nursing** 

(RN)

Nora Fortin, Stratham Effective: Upon confirmation

Reappointment Term: May 10, 2013

**Board of Nursing** 

(RN)

Kathleen Hartman, Pittsburg Effective: Upon confirmation

Reappointment Term: May 11, 2013

Public Employee Labor Relations Board

(Alternate Member rep. Public)

Charles S. Temple, Concord Effective: Upon confirmation Reappointment Term: February 13, 2016

Volunteer NH Board of Directors

Lisa C. Michaud, Manchester Effective: Upon confirmation

Reappointment Term: May 16, 2013

Water Council (Agriculture)

Stanley J. Rastallis, Unity Effective: Upon confirmation

Reappointment Term: April 16, 2014

# **#1 CONSENT CALENDAR - DONATIONS:**

# DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

A. Authorized Division of Parks and Recreation to accept and expend a donation in the amount of \$1,000 from Louise Tallman, Rye Beach, NH.

# DEPARTMENT OF ADMINISTRATIVE SERVICES

B. Authorized to accept a donation of services that transported and planted a 14' Elm Tree at the State House with an approximate value of \$1,500. These services were donated by Urban Tree Service, Rochester, NH.

#### **BUSINESS FINANCE AUTHORITY**

#2 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a <u>Public Hearing</u> with respect to the financing of a commercial facility by the Business Finance Authority for Santa's Village, Inc. located in Jefferson, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

# EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD MAY 26, 2010 IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

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At 10:45 a.m. the Governor announced that the next matter to be considered would be the financing of a commercial facility project by the Business Finance Authority ("Authority") for Santa's Village, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project and emphasized that the credit of the State was not involved. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; [there being none], Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-1:9 WITH RESPECT TO THE FINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR SANTA'S VILLAGE, INC. IN JEFFERSON, NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Wieczorek. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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# A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE ISSUANCE OF UP TO \$1,663,310 RECOVERY ZONE FACILITY REVENUE BONDS BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO FINANCE A COMMERCIAL FACILITY FOR SANTA'S VILLAGE, INC.

# IN JEFFERSON, NEW HAMPSHIRE

WHEREAS, the Governor and Council have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination under RSA 162-I:9 with respect to the financing of a commercial facility for Santa's Village, Inc. ("Borrower"), in Jefferson, New Hampshire, by the Authority's issuance of up to \$1,663,310 aggregate amount of recovery zone facility revenue bonds (the "Bonds") under RSA 162-I:1 et seq. (the "Act"); and

WHEREAS, the Governor and Council have received all of the documentation and information with respect to the proposed transaction that they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to, and cannot be taken until passage of, this Resolution;

NOW, THEREFORE, in consideration of the foregoing, IT IS HEREBY RESOLVED THAT:

<u>Section 1</u>. <u>Findings.</u> On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

#### (a) Special Findings.

- (1) The project to be financed with the proceeds of the Bonds consists of the following: (i) to finance capital improvements to the recreational facilities owned by the Borrower located at 528 Presidential Highway in Jefferson, New Hampshire (the "Facility"), including the renovation of certain Facility buildings and the acquisition and installment of equipment and furnishings to be located at the Facility; (ii) to finance certain professional and other fees and expenses directly related to such capital improvements at the Facility; (iii) to finance amounts previously expended on such capital improvements to the Facility; (iv) to refinance any existing debt which was spent on such capital improvements to the Facility; and (v) to finance the payment of certain related financing, closing and other costs and expenses, possibly including issuance expenses (collectively the "Project"). The Facility is within the definition of "Commercial Facility" in RSA 162-I:2 and may be financed under the Act.
- (2) The establishment and operation of the Facility will create or preserve employment opportunities directly or indirectly within the State of New Hampshire (the "State") and will likely be of general benefit to the community as a whole.

# (b) <u>General Findings</u>.

- (1) The Project and the proposed financing of the Project are feasible.
- (2) The Borrower has the skills and financial resources necessary to operate the Facility successfully.
- (3) The Loan Agreement, Escrow Agreement, Mortgage Security Agreement and Financing Statement and the other documents to be executed in connection with the issuance of the Bonds (collectively, the "Financing Documents"), contain provisions so that under no circumstances will the Authority be obligated, directly or indirectly, to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from proceeds of the Bonds or from funds received under the Financing Documents, exclusive of funds received under the Financing Documents by the Authority for its own use.
- (4) The Financing Documents do not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act.
- (5) The proposed financing of the Project by the Authority and the proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions and will promote the general welfare of the State's citizens.
- Section 2. <u>Ultimate Finding and Determination</u>. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit and determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.
- <u>Section 3.</u> <u>Approval.</u> The Governor and Council hereby approve the Authority's taking such further action under the Act with respect to the transaction involving the Facility, the Project and the Bonds as may be required.
  - <u>Section 4.</u> <u>Effective Date.</u> This Resolution shall take effect upon its passage.

Passed and Agreed to: May 26, 2010

#### COMMUNITY DEVELOPMENT FINANCE AUTHORITY

- Authorized to amend a contract with the City of Manchester, NH, for purchasing and rehabilitating three additional vacant residential properties that have been foreclosed upon, in order to redevelop such properties for the benefit of low and moderate-income persons and families, by increasing the amount by \$380,000 from \$7,740,000 to \$8,120,000. Effective upon G&C approval through March 9, 2013. **100% Federal Funds.**
- Authorized to enter into an agreement with the Town of Northwood, NH, to address a public health emergency at the Loon Estates Cooperative, a twenty-seven unit manufactured housing park, in the amount of \$221,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**
- #5 Authorized to amend a grant to the County of Strafford, Dover, NH, (previously approved by G&C on 9-17-08, item #2), to help municipalities solve development problems, by extending the end date to June 30, 2011 from June 30, 2010. No additional funding. **100% Federal Funds.**
- #6 Authorized to amend a grant to the Town of Swanzey, NH, (previously approved by G&C on 8-13-08, item #3), to help municipalities solve development problems, by extending the end date to June 30, 2011 from June 30, 2010. No additional funding. **100% Federal Funds.**
- #7 Authorized to amend a grant to the Town of Walpole, NH, (previously approved by G&C on 9-17-08, item #1), to help municipalities solve development problems, by extending the end date to June 30, 2011 from June 30, 2010. No additional funding. **100% Federal Funds.**
- #8 Authorized to amend a grant with the Town of Peterborough, NH, (previously approved by G&C on 9-9-09, item #3), for the purpose of assisting a business, Northeast Products, by amending the job creation goal of 10 jobs from the original grant, to 8 jobs, and to decrease the amount by \$40,000 from \$195,000 to \$155,000. **100% Federal Funds.**

# GOVERNOR'S COMMISSION ON DISABILITY

#9 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to enter into a 12-month lease with Gerald P. McCarthy Properties, Wareham, MA, for continued rental of office and meeting space comprised of approximately 3,160 square feet, Concord, NH, in an amount not to exceed \$35,550. Effective July 1, 2010 through June 30, 2011. **100% General Funds.** 

#### OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

- #10 Authorized to amend a **sole source** contract with Manchester School District, Manchester, NH (previously approved by G&C on 1-13-10, item #11), to address the educational, health and mental health needs of refugee children being resettled in the City of Manchester, by increasing the contract amount by \$6,001 from \$118,841 to \$124,842. Effective upon G&C approval through August 14, 2010. **100% Federal Funds.**
- #10A Authorized to amend the State Energy Programs grant (previously approved by G&C on 5-20-09, item #3), by reallocating ARRA funds, and by increasing in FY 2010 the amount of Personal Services Temporary Appointed funds by \$7,000 and decreasing in FY 2010 the amount of Contracts for Program Services funds by \$7,000. (2)Further authorized to amend the State Energy Programs grant (previously approved by G&C on 5-20-09, item #3), by reallocating ARRA funds, and by increasing the aggregate between FY's 2010, 2011 and 2012 the amount of Contracts for Program Services funds by \$628,359 and decreasing in the aggregate between FY's 2010, 2011, 2012 the amount of Grants Federal funds by \$628,359. Effective upon G&C approval through June 30, 2010. **100%** Federal ARRA SEP Funds. Fiscal Committee approved.

#### OFFICE OF THE ADJUTANT GENERAL

- #11 Authorized Major John A. Leblanc, Manchester, NH, be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.
- #12 Authorized Captain Steven E. Veinotte, Campton, NH, be nominated for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.
- #13 Authorized Craig E. Bennett, Naperville, IL, be confirmed to the rank of Brigadier General, NH Army National Guard.
- #14 Authorized Lieutenant Colonel Scott W. Normandeau, Hooksett, NH, be confirmed for appointment to the rank of Colonel, NH Air National Guard.
- #15 Authorized Captain Heidi A. Lelke, Somersworth, NH, be confirmed for promotion to the rank of Major, NH Air National Guard.
- #16 Authorized to exercise a renewal option of an Inter-Agency agreement with the NH Department of Transportation (previously approved by G&C on 6-9-09, item #17A), for equipment storage space located at the DOT Stickney Ave Facility, Concord, NH, in the amount of \$67,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**
- Authorized to enter into a contract agreement with Property Innovation Seal Coating and Line Striping of Manchester, NH, for tarmac line striping at the Army Aviation Support Facility in the amount of \$8,500. Effective upon G&C approval through August 31, 2010. **100% Federal Funds.**

#17A Authorized to amend G&C item #22B, approved on 6-17-09, by reallocating funding between two ARRA accounts in the amount of \$69,770 by increasing the account, "Training Site Improvements", in SFY 2010 from \$3,050,000 to \$3,119,770 and decreasing the account, "State Military Reservation Improvements", in SFY 2010 from \$1,000,000 to \$930,230 for a net amendment of \$69,770. Effective upon G&C approval through September 30, 2010. **100% ARRA Funds. Fiscal Committee approved.** 

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

- #18 Authorized \$63,161,263 be lapsed from the Working Capital Warrant for the month of April. (2)Further authorized a Working Capital warrant in the amount of \$460,000,000 to cover expenditures for the month of June.
- #19 Authorized Bureau of Court Facilities to enter into a rental agreement with the Department of Health and Human Services, Concord, NH, providing the Division of Juvenile Probation and Parole Office with 150 SF of office space, Merrimack, NH in an amount not to exceed \$5,778. Effective June 1, 2010 through May 30, 2013. **100% Agency Income Funds.**
- #20 Authorized the Division of Personnel's State Suggestion and Extraordinary Service Award Evaluation Committee to award a non-monetary recognition to Michael Bienick, Michelle Gauthier and Irene Koffink, of the NH Department of Education. Effective upon G&C approval.
- #20A Authorized to pay the National Association of State Budget Officers, Washington, DC, in an amount not to exceed \$11,000 for Fiscal Year 2011 membership dues. Effective July 1, 2010. **100% General Funds.**
- #20B Authorized with Councilor Wieczorek voting **no**, and Councilor Pignatelli recusing, to amend an agreement with Anthem Health Plans of NH Inc., d/b/a Anthem Blue Cross and Blue Shield, Manchester, NH, to extend the term of the agreement from January 1, 2011 through December 31, 2012. Administrative charges are estimated to be \$15.2 million during the extension period, based on current rates, which are unchanged under the amendment. **57% General**, **16% Federal**, **15% Enterprise**, **12% Restricted Funds**.
- #20C Authorized Bureau of Public Works Design and Construction to enter into a contract with James J. Welch Co., Salem, MA, for ARRA NH Army National Guard Training Site Renovations, Strafford, as part of the NHANG Stimulus Funds, for a total price not to exceed \$2,484,514. (2)Further authorized a contingency in the amount of \$264,429 for unanticipated expense, bringing the total to \$2,748,943. (3)Further authorized the amount of \$100,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction for engineering services provided, bringing the total to \$2,848,943. Effective upon G&C approval through September 30, 2011. **100% ARRA Federal Funds.**

#### TREASURY DEPARTMENT

- #21 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$48,773 and to issue checks in the amount of \$48,772.66 to the rightful owners of abandoned or unclaimed funds.
- #22 Authorized to amend a contract with Public Resources Advisory Group Inc., Boston, MA and New York, NY (previously amended by G&C on 5-21-08, item #21), to provide financial advisory services including debt affordability and debt management to the Treasury, by increasing the amount by \$75,000 from \$500,000 to \$575,000. Effective upon G&C approval through June 30, 2010.
- #23 Authorized to enter into a contract with Public Resources Advisory Group Inc., Boston, MA and New York, NY, for financial advisory services including debt affordability and debt management in the estimated amount of \$2,500,000. Effective July 1, 2010 to June 30, 2015.

# DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council acted as follows:

- #24 **WITHDRAWN** The Agency withdrew the request to reclassify Thomas C. Doyle, from Certified Public Accountant, to the maximum step for the position of Assistant Director of the Audit Division, unclassified salary grade FF, \$83,916.56. **100% General Funds.**
- #25 Authorized to place Attorney Kathryn E. Skouteris, at the maximum step for the position of Assistant Revenue Counsel, unclassified salary grade DD, \$74,059.70. **100% General Funds.**

#### DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

- #26 Authorized Division of Historical Resources to award a federally funded Certified Local Government Grant to the City of Somersworth, for the "Hilltop Historic District survey" in the amount of \$21,260. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**
- #27 Authorized Division of Historical Resources to award a federally funded Certified Local Government Grant to the City of Concord, for the "City's historic school building survey" in the amount of \$13,600. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#### ATTORNEY GENERAL

- #28 Authorized to enter into a subgrant in the amount of \$121,536, with MHM Correctional Services, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Second Chance Act Prisoner Reentry Grant, for the purpose of funding a mental health nurse practitioner and related mental health services for clients of the Division of Community Corrections' Second Chance Act Demonstration Project. **100% Federal Funds.**
- #29 Authorized to designate Lisa English as an attorney at a salary of \$58,000. Effective upon G&C approval.
- Authorized to amend the subgrants, as detailed in letter dated May 13, 2010, (previously approved by G&C on 6-3-09, item #34), for the FFY 2008 Enforcing Underage Drinking Laws Grant, utilized to support and enhance State and regional efforts to enforce laws prohibiting the sale to, or consumption of, alcoholic beverages by minors, by extending the end date from May 31, 2010 to May 31, 2011. **100% Federal funds.**
- #31 Authorized to enter into a subgrant with Child and Family Services of NH, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Second Chance Act Prisoner Reentry Grant, for the purpose of funding reentry services for clients of the Division of Community Corrections' Second Chance Act Demonstration Project in the amount of \$92,140. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**
- #32 Authorized to enter into a subgrant with the NH Department of Corrections, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Second Chance Act Prisoner Reentry Grant, for the purpose of funding the implementation of the Division of Community Corrections' Second Chance Act Demonstration Project in the amount of \$52,758.13. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**
- #33 Authorized to subgrant \$2,800 to Court Appointed Special Advocates of NH from the FFY 2010 Children's Justice Act Grant to improve the handling of services being provided to abused and neglected children. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**
- #34 Authorized to enter into the subgrants as detailed in letter dated May 13, 2010, from the FFY 2011 Children's Justice Act Grant for the purpose of handling joint investigations of child abuse and exploitation cases totaling \$10,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

# NEW HAMPSHIRE EMPLOYMENT SECURITY

#34A The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to enter into a contract with Hudson Paving & Excavation, Hudson, NH, for parking lot reconstruction services at NHES's Salem Local Office building in the amount of \$76,500. Effective upon G&C approval through November 30, 2010. **100% Federal Funds.** 

#### DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

- Authorized to enter into a **retroactive** contract with Bio-Medical Applications of NH Inc., Concord, NH, to provide Outpatient Renal Hemodialysis Services for the NH Department of Corrections in the amount of \$1,326,000. Effective May 1, 2010 through April 30, 2012. **100% General Funds.**
- #35A Authorized to utilize funds in the amount of \$638,883 to establish the newly created Division of Community Corrections for SFY 2011. Effective July 1, 2010 or upon G&C approval, whichever is later, through June 30, 2011. **100% General Funds.**

#### **PUBLIC UTILITIES COMMISSION**

#35B The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to transfer \$21,938. Effective upon G&C approval through June 30, 2010. **100% Other – Utilities Assessment Funds. Fiscal Committee approved.** 

# OFFICE OF THE CONSUMER ADVOCATE

#35C The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a contract with Snake Hill Energy Resources Inc., North Scituate, RI, to provide expert testimony and other services related to a pending docket at the NH Public Utilities Commission, in an amount not to exceed \$23,500. Effective upon G&C approval through June 30, 2011. **100% Utility Assessment Funds.** 

#### NEW HAMPSHIRE LIQUOR COMMISSION

#36 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a **sole source** contract with Learfield Communications d/b/a Wildcat Sports Properties, Jefferson City, MO, for the sole purpose of providing a sponsorship agreement in the amount of \$60,000. Effective upon G&C approval through March 31, 2013. **100% Agency Income (Highway Safety) Funds.** 

#### DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- Authorized Division of Parks and Recreation to make a **retroactive** payment to Bob Mariano Chrysler-Jeep-Dodge, Concord, NH, for vehicle repairs to a state park vehicle on April 22, 2010, in the amount of \$6,929.26. **100% Park Funds.**
- Authorized Division of Forests and Lands to enter into a **sole source** agreement with the North Country Council Inc., Bethlehem, NH, to administer an Economic Development Administration grant awarded to the Department in the amount of \$80,000. (2)Further authorized an advance payment in the amount of \$20,000. Effective upon G&C approval through June 30, 2012. **80% Federal, 20% Other Funds.**
- #38A Authorized Division of Forests and Lands to accept and expend federal funds from the US Department of Commerce, in the amount of \$1,526,763, and other funds from the NH Electric Co-op in the amount of \$381,690 for a total of \$1,908,453. Effective upon G&C approval through June 30, 2011. **80% Federal, 20% Other Funds.** Fiscal Committee approved.
- #38B Authorized Division of Parks and Recreation to enter into a contract with the Town of Bristol Police Department, Bristol, NH, for police detail at Wellington Lake State Park in the amount of \$3,300. Effective July 1, 2010 through September 30, 2010. **100% Park Account Funds.**

- #38C Authorized Division of Parks and Recreation to enter into a **retroactive** contract with the Yellow Dawg Stripping LLC, Weare, NH, for numbering parking spaces at Hampton/Jenness Beach, in the amount of \$3,092. Effective April 12 16, 2010. **100% Hampton Beach Capital Improvement Funds.**
- #38D Authorized Division of Parks and Recreation to enter into a **sole source** contract with Student Conservation Association Inc., Charlestown, NH, to provide clean-up services at various state parks, in the amount of \$10,675. Effective upon G&C approval through June 30, 2010. **100% Park Account Funds.**

#### NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

- #39 Authorized to transfer \$40,000 from the NH Fish and Game Fund Reserve to the Fish and Game FY 2010 Operating Budget. **Fiscal Committee approved.**
- #39A Authorized to transfer \$30,600 of unexpended funds from Excess Registration Fees, to the Fish and Game OHRV Fiscal Year 2010 Operating Budget.

#### DEPARTMENT OF ENVIRONMENTAL SERVICES

- 440 Authorized to enter into a grant agreement with Great Bay Marine Inc., Newington, NH, to pay for operation and maintenance costs for the boat sewage pumpout station in the amount of \$1,500. Effective upon G&C approval through January 31, 2011. **100% Federal Funds.**
- #41 Authorized to accept and expend \$2,300 in additional funds for the Laboratory Cost Center to be used to cover salary shortfalls. Effective upon G&C approval through June 30, 2010. **100% Other Funds.**
- 442 Authorized to enter into a **retroactive** grant agreement with the City of Portsmouth, NH, to fund a Household Hazardous Waste Collection project totaling \$4,005. Effective September 26, 2009 through June 30, 2010. **100% Hazardous Waste Funds.**
- #43 Authorized to enter into an agreement with the Acton Wakefield Watersheds Alliance Inc., Union, NH, to complete the Watershed Implementation (Phase I) and Road Management Plan: Great East Lake, Lake Ivanhoe, Horn Pond, Wilson Lake, and Lovell Lake Project in the amount of \$107,952. Effective upon G&C approval through December 31, 2013. 100% Federal Funds.
- Authorized to enter into an agreement with the Newfound Lake Region Association, Bristol, NH, to complete the Newfound Lake Watershed Management Plan Implementation: Phase I project, in the amount of \$127,960. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**
- #45 Authorized to amend a **sole source** contract with GZA GeoEnvironmental Inc., Manchester, NH, (previously amended by G&C on 4-14-10, item #54), to oversee remediation at contaminated sites, by increasing the amount by \$236,000 from \$2,889,740 to \$3,125,740. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**
- Authorized to amend a **sole source** contract with Resource Management Inc., Holderness, NH, (previously approved by G&C on 1-12-05, item #45), for turnkey management services for biosolids generated at the Franklin Wastewater Treatment Facility, by increasing the amount by \$1,256,276.95 from \$2,218,645.64 to \$3,474,922.59, and by extending the end date to June 30, 2015 from June 30, 2010. **100% WRBP Funds.**
- 447 Authorized to budget and expend prior year carry forward funds from Water Users to cover projected shortfalls in certain expenditure classes in the amount of \$2,200. Effective upon G&C approval through June 30, 2010. 100% Newfound Project Funds.
- Authorized to budget and expend prior year carry forward funds from Water Users to cover projected shortfalls in certain expenditure classes in the amount of \$9,500. Effective upon G&C approval through June 30, 2010. 100% Winnipesaukee Project Funds.

- 449 Authorized to budget and expend prior year carry forward funds from Water Users to cover projected shortfalls in certain expenditure classes in the amount of \$2,000. Effective upon G&C approval through June 30, 2010. 100% Piscataquog Project Funds.
- #50 Authorized to budget and expend prior year carry forward funds from Water Users to cover projected shortfalls in certain expenditure classes in the amount of \$6,800. Effective upon G&C approval through June 30, 2010. **100% Mascoma Project Funds.**
- #51 Authorized Richard Osgood's request to fill 450 sq ft to conduct work on average of 104 ft of frontage on Lake Winnipesaukee in Wolfeboro.
- #52 Authorized David Kenepp & Ellen Keefe's request to construct a tidal dock structure, including a permanent pier, connecting to a ramp, connecting to a float, providing one slip on frontage on the Lamprey River in Newmarket.
- #53 Authorized Douglas Ross's request to construct a tidal dock structure, including a permanent pier, connecting to a ramp, connecting to a float, providing two slips on frontage on Little Bay in Newington.
- #53A Authorized to accept and expend \$975,001 in federal funds from the US Environmental Protection Agency for purposes of funding remediation efforts at Comprehensive Environmental Response, Compensation and Liability Act sites. Effective upon G&C approval through June 30, 2011. 100% Federal Funds. Fiscal Committee approved.
- #53B Authorized to enter into a single bid contract with Southworth-Milton Inc., Hopkinton, NH, for as-needed emergency repair services for Winnipeaukee River Basin Program in the amount of \$47,120. Effective upon G&C approval through June 30, 2013. **100% WRBP Funds.**

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

#### **Division for Juvenile Justice Services**

454 Authorized to **retroactively** compensate Robert Leonard, a Teacher II at the John H. Sununu Youth Services Center, for time lost while recovering from a work related injury by restoring leave balances used in State Fiscal Years 2009 and 2010 in a total amount of \$5,250.39. **80% General, 20% Other (School Districts) Funds.** 

#### Office of the Commissioner

#54A Authorized to transfer General Funds in the amount of \$950,000 from Division of Family Assistance to other program areas within DHHS. (2)Further authorized the Bureau of Behavioral Health (BBH), to accept and expend a General Fund transfer in the amount of \$150,000 from the Division of Family Assistance to the Community Mental Health Services Account; and a transfer of General Funds in the amount of \$250,000 within the same appropriation. (3)Further authorized BBH to accept and expend federal funds in the amount of \$521,338 in Title XIX funds from Centers for Medicare and Medicaid Services and \$120,696 through ARRA 2009 from the Center for Medicare and Medicaid Services. Effective upon G&C approval through June 30, 2010. Fiscal Committee approved.

#### Division for Children, Youth & Families

455 Authorized to amend an agreement with Scott Noyes, Sole Proprietor, Essex, VT, (previously approved by G&C on 2-4-09, item #73), for Preventing Drowning in Children Care training, by increasing the price to \$108,000, and by extending the completion date from June 30, 2010 to June 30, 2012. **100% Federal Funds.** 

# **Division of Public Health Services**

- Authorized Chronic Disease Prevention and Control Section, Comprehensive Cancer Control Program, to enter into an agreement with the Foundation for Healthy Communities, Concord, NH, to provide management services to the NH Comprehensive Cancer Collaboration and Healthy Eating Active Living (HEAL) Initiative in an amount not to exceed \$291,000. Effective July 1, 2010 or upon G&C approval, whichever is later, through June 30, 2012. **100% Federal Funds.**
- #57 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Lamprey Health Care Inc., Newmarket, NH, (previously approved by G&C on 6-4-08, item #150), to provide primary care services and breast and cervical cancer screening, by increasing the price by \$1,478,362 from \$1,478,502 to \$2,956,864, and by extending the completion date to June 30, 2012. **83% General, 17% Federal Funds.**
- #58 Authorized Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with Twin States Network, Bellows Falls, VT, (previously approved by G&C on 8-13-08, item #124), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$60,000 from \$60,000 to \$120,000, and by extending the completion date to June 30, 2012. **100% Federal Funds.**
- #59 Authorized Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with the Feminist Health Center of Portsmouth, Greenland, NH, (previously approved by G&C on 8-13-08, item #127), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$28,662 from \$28,662 to \$57,324, and by extending the completion date to June 30, 2012. **100% Federal Funds.**
- #60 Authorized Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with A Community Resource Network, Lebanon, NH, (previously approved by G&C on 8-13-08, item #125), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$100,000 from \$100,000 to \$200,000, and by extending the completion date to June 30, 2012. **100% Federal Funds.**
- #61 Authorized Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with Child and Family Services of NH, Manchester, NH, (previously approved by G&C on 8-13-08, item #123), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$20,000 from \$61,456 to \$81,456, and by extending the completion date to June 30, 2012. **100% Federal Funds.**
- #62 Authorized Bureau of Community Health Services, Community Public Health Development Section to enter into a **sole source** agreement with the Caring Community Network of the Twin Rivers, Franklin, NH, to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network in the amount of \$140,000. Effective July 1, 2010 or upon G&C approval, whichever is later, through June 30, 2012. **79% Federal, 21% General Funds.**
- Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with North Country Health Consortium, Whitefield, NH, (previously amended by G&C on 12-9-09, item #128), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$190,000 from \$231,559 to \$421,559, and by extending the completion date to June 30, 2012. **79% Federal, 21% General Funds.**
- 464 Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with Sullivan County, Newport, NH, (previously amended by G&C on 12-9-09, item #124), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$140,000 from \$203,193 to \$343,193, and by extending the completion date to June 30, 2012. **79% Federal, 21% General Funds.**

- Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with Cheshire County, Keene, NH, (previously amended by G&C on 1-13-10, item #108), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$190,000 from \$262,582 to \$452,582, and by extending the completion date to June 30, 2012. **83% Federal, 17% General Funds.**
- Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with the Trustees of Dartmouth College, Hanover, NH, (previously amended by G&C on 12-9-09, item #129, & item #133), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$140,000 from \$199,726 to \$339,726, and by extending the completion date to June 30, 2012. **79% Federal, 21% General Funds.**
- #67 Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with Mid-State Health Center, Plymouth, NH, (previously amended by G&C on 1-13-10, item #107), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$140,000 from \$184,824 to \$324,824, and by extending the completion date to June 30, 2012. **79% Federal, 21% General Funds.**
- #68 Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with Concord Hospital Inc., Concord, NH, (previously amended by G&C on 12-9-09, item #125), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$140,000 from \$258,108 to \$398,108, and by extending the completion date to June 30, 2012. **82% Federal, 18% General Funds.**
- #68A Authorized Bureau of Prevention Services to accept and expend federal funds in the amount of \$99,163 from the ARRA of 2009 to fund the Chronic Disease Self-Management Project. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**
- #68B Authorized to amend the allocation of \$71,347.52 from the Association of State and Territorial Health Officials (previously approved by G&C on 2-9-10, item #59), to fund a statewide strategic plan on public health impacts of climate change, by decreasing the amount in SFY 2010 from \$71,347.52 to \$53,452.52, and increasing the amount in SFY 2011 from \$0.00 to \$17,895. (2)Further authorized to amend the allocation of \$71,347.52 from DHHS, Division of Public Health Services (previously approved by G&C on 2-9-10, item #59), to fund a statewide strategic plan on public health impacts of climate change, by decreasing the amount in SFY 2010 from \$187,775.52 to \$171,880.52, and increasing the amount in SFY 2011 from \$117,522 to \$135,417. (3)Further authorized to amend the memorandum of agreement with the Department of Environmental Services, Concord, NH, for the development of a statewide strategic plan to prepare for the public health impacts of climate change, by extending the completion date to August 31, 2010. Effective upon G&C approval through August 31, 2010. **Fiscal Committee approved.**

## **Disability Determination Unit**

#69 Authorized to enter into an agreement with Sreenivas Katragadda, MD, Bow, NH, to provide services as a Medical Disability Determination Reviewer in an amount not to exceed \$15,502. Effective July 1, 2010 or upon G&C approval, whichever is later, through June 30, 2011. **75% Federal, 25% General Funds.** 

# **Bureau of Drug and Alcohol Services**

- #70 Authorized to make a **retroactive** one-time payment from SFY 2010 funds to Northern Human Services, Conway, NH, for services delivered during April 2008, in the amount of \$14,066.56. **100% General Funds.**
- #71 Authorized Prevention Services Unit, Strategic Prevention Framework Program to enter into a **retroactive sole source** renew and amend agreement with BDB Health Promotions, Londonderry, NH, (previously amended by G&C on 5-7-08, item #53), to provide cultural competence services, by increasing the price by \$14,583 from \$100,000 to \$114,583, and by extending the completion date to September 30, 2010. **100% Federal Funds.**

#### **Bureau of Homeless and Housing Services**

- #72 Authorized to enter into a **retroactive** contract renewal option with Tri-County Community Action Program Inc., Berlin, NH, (previously approved by G&C on 6-17-09, item #204), to provide services to homeless individuals in an amount not to exceed \$66,041. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- #73 Authorized to enter into a **retroactive** contract renewal option with The Salvation Army, Concord, NH, (previously approved by G&C on 6-17-09, item #205I), to provide services to homeless individuals in an amount not to exceed \$25,928. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- #74 Authorized to enter into a **retroactive** contract renewal option with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (previously approved by G&C on 6-17-09, item #205), to provide services to homeless individuals in an amount not to exceed \$39,408. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- Authorized to enter into a **retroactive** contract renewal option with Bridge House Inc., Plymouth, NH, (previously approved by G&C on 7-15-09, item #97), to provide services to homeless individuals in an amount not to exceed \$20,248. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- #76 Authorized to enter into a **retroactive** contract renewal option with Child and Family Services of NH, Manchester, NH, (previously approved by G&C on 7-15-09, item #96), to provide services to homeless individuals in an amount not to exceed \$42,809. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- #77 Authorized to enter into a **retroactive** contract renewal option with NH Legal Assistance, Concord, NH, (previously approved by G&C on 6-17-09, item #203), to provide services to homeless individuals in an amount not to exceed \$25,261. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- Authorized to enter into a **retroactive** contract renewal option with Families in Transition Inc., Manchester, NH, (previously approved by G&C on 6-17-09, item #205H), to provide services to homeless individuals in an amount not to exceed \$30,274. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**
- #79 Authorized to enter into a **retroactive** contract renewal option with Cross Roads House Inc., Portsmouth, NH, (previously approved by G&C on 8-19-09, item #135), to provide services to homeless individuals in an amount not to exceed \$76,342. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**

#### Office of Medicaid Business and Policy

#79A Authorized to transfer funds in the amount of \$2,500,000 within the same appropriations. (2)Further authorized to transfer \$691,380 in general funds and related revenue adjustments in the amount of \$901,108.62 in Title XIX funds from Centers for Medicare and Medicaid Services Medicaid federal funds and \$208,620 in ARRA of 2009 Title XIX Medicaid federal funds from the Pharmacy account to the Provider Payments accounts. (3)Further authorized to transfer \$367,500 in general funds from the Breast and Cervical Cancer Program account to the Provider Payments accounts and accept \$479,038.80 in Title XIX funds from Centers for Medicare and Medicaid Services Medicaid federal Funds and \$110,891.04 in ARRA of 2009 Title XIX Medicaid federal funds in Provider Payments account, further effect related revenue adjustments to decrease the federal revenues in the amount of \$683,182.50 in the Breast and Cervical Cancer Program account. Effective upon G&C approval. **ARRA Funds. Fiscal Committee approved.** 

#### **Division of Family Assistance**

#79B Authorized to accept and expend \$3,654 of ARRA of 2009 funds awarded by the US Department of Agriculture, Food and Nutrition Services, Supplemental Nutrition Assistance Program. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.** 

#79C Authorized to accept and expend \$149,850 of US Office of Refugee Resettlement funds granted to NH Office of Energy and Planning. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.** 

#79D Authorized to accept and expend \$1,082,235 in Federal funds awarded by the US Department of Agriculture, Food and Nutrition Services, to promote timely and high quality service to applicants and recipients of the Supplemental Nutrition Assistance Program. Effective July 1, 2010 or upon G&C approval, whichever is later, through June 30, 2011. **Fiscal Committee approved.** 

#### **Bureau of Elderly & Adult Services**

#79E Authorized to transfer \$176,530 in Federal and State funds between expenditure classes. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.** 

## **Information Technology Unit**

#79F Authorized to enter into an agreement with the Massachusetts eHealth Collaborative, Waltham, MA, for State Level Health Information Exchange Assessment and Planning consulting services in an amount not to exceed \$550,000. Effective June 1, 2010 or upon G&C approval. **100% Federal ARRA Funds.** 

#80 NOT USED

#### POSTSECONDARY EDUCATION COMMISSION

#81 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to award \$75,000 in FY 2010 to the University of NH, which has received private gifts and contributions as a match for state funds under the Granite State Scholars Program, for the benefit of highly qualified NH residents pursuing programs of study at public colleges and universities within the state. **100% General Funds.** 

#### DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

- #82 Authorized to exercise a renewal option to grant the North Country Education Services (NCES), (previously approved by G&C on 1-27-10, item #82), funds to pay for supplemental educational services to be provided by NCES to migrant students and families in an amount not to exceed \$55,375. (2)Further authorized unencumbered payment of said grant with internal accounting. Effective July 1, 2010 or upon G&C approval, whichever is later, through June 30, 2011. **100% Federal Funds.**
- #83 Authorized a renewal option and enter into a contract with New England Document Systems, Manchester, NH, (previously amended by G&C on 6-25-08, item #266), to archive federal records by scanning onto CD-ROM, in an amount not to exceed \$23,576. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#### **NEW HAMPSHIRE LOTTERY**

- #84 Authorized to exercise both of the two one-year options to renew the contract with McLane, Graf, Raulerson & Middleton of Manchester, NH, for trademark and legal services at a maximum cost of \$7,500 per year. Effective July 1, 2010 through June 30, 2012. **100% Lottery Funds.**
- #84A Authorized to purchase instant gaming tickets and related services in an amount not to exceed \$2,300,000. (2)Further authorized to exercise the second of two (2-year) renewal options to extend the Scientific Games International Inc contract to purchase additional ticket quantities above the value allowed by the current contract for instant game tickets at a maximum cost of \$4,600,000. (3)Further authorized to transfer \$2,300,000 from the Lottery Special Revenue Account for the purchase of the instant tickets and related services. Effective July 1, 2010 through June 30, 2011. 100% Lottery Revenue Funds. Fiscal Committee approved.
- #84B Authorized to place Executive Director Charles R. McIntyre at the maximum step of unclassified grade HH, earning \$98,691 annually. An informational hearing on this appointment will be held prior to the next G&C meeting.

#### DEPARTMENT OF SAFETY

- Authorized to renew a **sole source** contract with Eastman Kodak Co., Rochester, NY, (previously amended by G&C on 8-19-09, item #218), to provide preventative maintenance, service and repairs to equipment, in an amount not to exceed \$22,464. Effective July 1, 2010 through June 30, 2011. **100% Highway Funds.**
- Authorized Division of Fire Safety to amend a contract with NH Association of Fire Chiefs, Litchfield, NH (previously approved by G&C on 2-9-10, item #75), for the basic review and update of the All-Hazards and Fire Mobilization Plan to meet the mandate to coordinate mutual aid during a catastrophic event, by extending the end date from June 15, 2010 to December 31, 2010. **100% Federal Funds.**
- #87 Authorized Division of Fire Safety to enter into a memorandum of agreement with the Division of Fire Standards and Training and EMS, to continue statewide hazardous materials training provided by the NH Fire Academy, in the amount of \$46,388. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**
- Authorized Division of State Police to accept and expend a \$29,297.83 grant from the NH Highway Safety Agency entitled NHSP Statewide DWI Hunter Patrols for the purpose of combating the DWI problem statewide. Effective upon G&C approval through September 15, 2010. **100% Agency Income Funds.**
- 489 Authorized to enter into a one-year, inter-agency rental agreement with the Department of Transportation (previously amended by G&C on 10-21-09, item #102), to provide the Division of State Police with vehicle storage space located in the Stickney Avenue Facility, Concord, NH, for \$32,000. Effective July 1, 2010 to June 30, 2011. 100% Federal Funds.
- #90 Authorized Division of State Police to amend a memorandum of understanding with the Administrative Office of the Courts (previously approved by G&C on 7-15-09, item #139), to develop the AOC's components of the Integrated Criminal Justice Information System, by extending the completion date from June 30, 2010 to June 30, 2011. **100% Federal Funds.**
- #91 Authorized Division of State Police to enter into a **sole source** contract with Desert Brook Enterprises d/b/a Thirty Pines Self Storage, Concord, NH, for the purpose of renting storage units in the amount of \$8,172. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**
- #92 Authorized Division of Homeland Security and Emergency Management to **retroactively** amend a subgrant (previously approved by G&C on 11-18-09, item #74), for cost-effective hazard mitigation activities that complement a comprehensive mitigation program, by extending the subgrant end date from May 25, 2010 to June 30, 2011. **100% Federal Funds.**
- #92A Authorized to transfer funds from the Highway Surplus account to the Department of Safety for additional funds over budget estimates, in the amount of \$125,000. Effective upon G&C approval through June 30, 2010. **100% Highway Funds. Fiscal Committee approved.**
- #92B Authorized Division of State Police to transfer \$600 within the account entitled J-One Earmark 09, to realign appropriated funds for the purpose of implementing the J-ONE Project. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**
- #92C Authorized Division of State Police to budget and expend \$195,000 of the prior year carry forward balance in the Outside Details account to cover special payments for construction details needed by outside vendors. Effective upon G&C approval through June 30, 2010. **100% Private Local Funds.**
- #92D Authorized Division of Homeland Security and Emergency Management to accept and expend Emergency Assistance funds in the amount of \$15,000,000 from the Federal Emergency Management Agency. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#92E Authorized Division of State Police to amend a grant received from the Department of Justice, Office of Justice Programs (previously approved by G&C on 11-4-09, item #76), for the purpose of reducing and deterring serious crime in NH, by reallocating the funds of \$225,000. Effective upon G&C approval through June 30, 2011. (2)Further authorized to **retroactively** enter into a memorandum of understanding with the City of Dover in the amount of \$25,000, the City of Manchester in the amount of \$150,000, and the City of Nashua in the amount of \$25,000 for the enforcement of activities relating to Gang, Undercover Drug Investigations, and related search warrant executions. Effective upon G&C approval through September 30, 2011. **100% Federal Funds. Fiscal Committee approved.** 

#92F Authorized to enter into a sub-grant with the NH Department of Information Technology for the State Homeland Security Program portion of the 2009 Homeland Security grant program, to purchase equipment to increase the ability to secure the Department of Safety and statewide information network and data resources in the amount of \$70,000. Effective upon G&C approval through July 31, 2012. **100% Federal Funds.** 

#### DEPARTMENT OF TRANSPORTATION

- #93 Authorized to enter into a **sole source** agreement with the American Association of State Highway and Transportation Officials, Washington, DC, for renewing the license for the usage of AASHTO's Safety Analyst computer software in the amount of \$22,500 and \$16,600 for two service units for technical assistance and training. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**
- #94 Authorized to amend a **retroactive** contract with Rockingham Planning Commission, Exeter, NH, (previously approved by G&C on 10-8-08, item #161), to complete the NH 111 Corridor Study, by extending the end date from December 31, 2009 to December 31, 2010. No additional funding.
- #95 Authorized Bureau of Right of Way to pay various owners \$108,464.34 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from April 26, 2010 through May 7, 2010. Effective upon G&C approval.
- #96 Authorized Bureau of Right of Way to sell a  $1.03 \pm a$  acres parcel of State owned land located in Merrimack to David G. Yakuboff Sr. and Paul D. Yakuboff Jr. for \$50,000 which includes a \$1,100 Administrative Fee. Effective upon G&C approval.
- #97 Authorized Bureau of Right of Way to transfer to Sovereignty Family Investments LLC, a triangular 5,450 square foot parcel of State owned surplus property in the City of Rochester. Effective upon G&C approval.
- #98 Authorized Bureau of Right of Way to enter into a contract with Cityside Management Corporation, Merrimack, NH, for the management of properties throughout the state in the amount of \$400,000. (2)Further authorized to provide funds to Cityside Management Corporation in the amount of \$125,000 to fund the maintenance and management checking accounts used in the management of the properties. Effective June 1, 2010 through May 31, 2014.
- #99 Authorized Bureau of Highway Design to amend a contract with PB Americas Inc., Manchester, NH, and Boston, MA, (previously approved by G&C on 5-4-05, item #154), for final design engineering for the northern section of the Salem-Manchester I-93 widening project, by extending the completion date from May 31, 2010 to December 30, 2010. No Additional Funding.
- #100 Authorized Bureau of Highway Design to amend a contract with Edwards and Kelcey Inc., Manchester, NH, (previously approved by G&C on 6-13-07, item #493), for on-call engineering and/or technical services and support for Intelligent Transportation Systems initiatives being undertaken by the Department throughout the State, by extending the completion date from May 31, 2010 to March 22, 2011. No Additional Funding.

- #101 Authorized Bureau of Traffic to amend an agreement with Louis Berger Group Inc., Manchester, NH, (previously approved by G&C on 10-20-04, item #115), to complete the Environmental Impact Statement for the I-93 Salem to Manchester project in the amount of \$1,596,247.54, by extending the completion date to December 31, 2010 from May 28, 2010. No Additional Funding.
- #102 Authorized Bureau of Turnpikes to enter into a contract with Curtin Enterprises Inc., d/b/a Northeast Door Co., Concord, NH, for door and window services for facilities maintained by the Bureau of Turnpikes Maintenance in the amount of \$39,800. Effective July 1, 2010 through June 30, 2012. **100% Turnpike Funds.**
- #103 Authorized Bureau of Construction to amend a contract with Pike Industries Inc., Belmont, NH, (previously approved by G&C on 7-15-09, item #145), for pavement and bridge rehabilitation on I-95 in Portsmouth, by increasing the amount by \$400,000 from \$4,872,391.35 to \$5,272,391.35. Effective upon G&C approval through August 27, 2010. **100% Federal, Non-ARRA, Funds.**
- #104 Authorized Bureau of Construction to amend a contract with Pike Industries Inc., Belmont, NH (previously approved by G&C on 10-7-09), for construction of a portion of the roadway improvements as part of the overall Hampton Toll Plaza Open Road Tolling Project in the Towns of Hampton and North Hampton, by increasing the amount by \$590,000 from \$7,433,776 to \$8,023,776. Effective upon G&C approval through July 30, 2010. **100% Turnpike Funds.**
- #105 Authorized Bureau of Construction to enter into a contract with Roadsafe Traffic Systems Inc., Avon, MA, for installing new Emergency Reference Marker signs along parts of the State highway system, on the basis of a low bid of \$172,610. (2)Further authorized a contingency in the amount of \$25,891.50 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 29, 2010. **100% Betterment Funds.**
- #106 Authorized Bureau of Construction to enter into a contract with J. Parker & Daughters Construction Inc., Pittsfield, NH, for replacement of an existing stone box culvert carrying Hog Hill Road Brook under NH Route 121 in the Town of Pittsfield, on the basis of a low bid of \$249,119. (2)Further authorized a contingency in the amount of \$24,911.90 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through September 10, 2010. **100% Federal Funds.**
- #107 Authorized Bureau of Construction to enter into a contract with Prime Coatings Inc., Salisbury, MA, for painting two overpass bridges in the I-95/Spaulding Turnpike Interchange in the City of Portsmouth, on the basis of a low bid of \$699,000. (2)Further authorized a contingency in the amount of \$69,900 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through November 5, 2010. **100% Turnpike Funds.**
- #108 Authorized Bureau of Construction to enter into a contract with Beck & Bellucci Inc., Franklin, NH, for rehabilitation of three bridges on NH Route 175 over the Pemigewasset River in Woodstock, on the basis of a low bid of \$1,034,998.51. (2)Further authorized a contingency in the amount of \$103,498.85 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through June 24, 2011. **100% Federal Funds.**
- #109 Authorized the Bureau of Mechanical Services to enter into a **sole source** contract agreement with AssetWorks Incorporated, Wayne, PA, to upgrade the current M4 Fleet Management System to a web-based, enterprise wide FleetFocus M5 Management Software System, including software installation services, system setup, configuration, training and support, for a fee not to exceed \$286,221.61. **100% Highway Funds.**

#### LATE ITEMS

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

- A. Authorized the Bureau of Public Works Design and Construction to enter into a contract with Brookstone Builders, Inc., Manchester, NH, for a total price not to exceed \$1,026,900 for Exit 8 Nashua Bus Facility, Nashua. (2) Further authorized a contingency in the amount of \$40,000 for additional unanticipated conditions or user required modifications, bringing the total to \$1,066,900. (3) Further authorized \$12,000 for payment to the Bureau of Public Works and Design and Construction for engineering services provided, bringing the total to \$1,078,900. Effective upon Governor and Council approval through October 29, 2010. **80% Federal and 20% Highway Funds.**
- B. Authorized the Bureau of Public Works Design and Construction to enter into a contract with Turnstone Corporation, Milford, NH, for a total price not to exceed \$710,800, for ARRA Renovations at the State Military Reservation, Concord, as part of the NHANG Stimulus Funds, American Recovery and Reinvestment Act Grant. The contract is effective upon Governor and Council approval through August 13, 2010 unless extended by the Department in accordance with the contract terms. **100% ARRA Funds.**

#### DEPARTMENT OF EDUCATION

C. Authorized the Division of Career Technology and Adult Learning to amend a contract with 30 Maplewood LLC, Portsmouth, NH. The amendment will provide an extension of the current agreement at the current rate for the months June through August, ending it no later than September 30, 2010. The total cost of the amendment is \$33,505.20. Rent shall be prorated to a daily rate of \$446.74 during the month of September 2010, with the rental obligation ending the day the premises are vacated. **100% Federal Funds.** 

#### DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

D. Authorized the Division of Parks and Recreation, to enter into a **retroactive** contract with Franzoso Land Stone Snow & Ice, Hampton, NH, in the amount of \$107,603.81 for beach raking services at Hampton Beach from May 12, 2010 through September 30, 2011. **100% Hampton Beach Capital Improvement Funds.** 

- Meeting Recessed -

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After the recess, Attorney General Michael Delaney spoke about a supplemental report that he had presented to the Councilors regarding FRM. He also answered questions that the Councilors asked regarding FRM.

Attorney General Michael Delaney also spoke to the Governor and Councilors about his submission of the removal petition on Liquor Commissioner Mark Bodi.

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The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, voted to move into non-public session under RSA 91-A:3, II (a) and (c) to discuss personnel matters and matters which, if discussed in public, would likely adversely affect the reputation of a person.

The Governor and Council met in non-public session. After coming out of the non-public session the Governor announced that the Council has voted to seal the minutes of the non-public session under RSA 93-A:3 because the information would likely adversely affect the reputation of the persons involved, and will keep the minutes sealed until such time as the Council determines that conditions no longer exist.

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, June 9, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

On motion of Councilor Burton, seconded by Councilor Shea, The Honorable Board then Adjourned at 3:20 p.m.